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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA  
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7 BOARD OF TRUSTEES OF UNITE HERE )  
8 HEALTH, )

9 Plaintiff, )

10 vs. )

11 NORA A. AGUILAR, *et al.*, )

12 Defendants. )

Case No. 2:16-cv-02501-RFB-GWF

**ORDER**

13 This matter is before the Court on Plaintiff's Ex Parte Motion for Leave to Amend Exhibit 1  
14 to Complaint (ECF No. 140), filed on June 1, 2017.

15 This matter arises from allegations of fraud, fraudulent misrepresentation, fraudulent  
16 concealment, negligent misrepresentation, conversion, unjust enrichment, and restitution. *See*  
17 *Complaint* (ECF No. 1). Plaintiff requests leave to amend Exhibit 1 to its complaint pursuant to Rule  
18 15 of the Federal Rules of Civil Procedure to reflect updated claim amounts that were calculated  
19 incorrectly. Plaintiff represents that the amendment will update 45 lines of listed claim amounts to  
20 reflect a lesser amount.

21 Under Fed. R. Civ. P. 15(a)(2), prior to trial, a party "may amend its pleading only with the  
22 opposing party's written consent or the court's leave." Courts should freely give leave to amend  
23 "when justice so requires." *Id.* As this Court has previously stated "Rule 15's policy of favoring  
24 amendments to pleadings should be applied with 'extreme liberality'" where the motion to amend "is  
25 not sought in bad faith, does not cause the opposing party undue delay, does not cause the opposing  
26 party undue prejudice, and does not constitute an exercise in futility." *Wright v. Incline Village*  
27 *General Imp. Dist.*, 597 F.Supp.2d 1191, 1210 (D.Nev. 2009). The Court finds justice requires that  
28 Plaintiff be granted leave to amend its Complaint as leave to amend is sought in good faith, does not

1 cause the opposing party undue delay or undue prejudice, and does not constitute an exercise in  
2 futility. Accordingly,

3 **IT IS HEREBY ORDERED** that Plaintiff's Ex Parte Motion for Leave to Amend Exhibit 1  
4 to Complaint (ECF No. 140) is **granted**.

5 DATED this 6th day of June, 2017.

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8 GEORGE FOLEY, JR.  
9 United States Magistrate Judge  
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